

REMARKS/ARGUMENTS

The rejection presented in the Office Action dated July 22, 2008, (hereinafter Office Action) has been considered, and reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

In an effort to facilitate prosecution and without acquiescing to characterizations of the asserted art, Applicant's claimed subject matter, or to the applications of the asserted art or combinations thereof to Applicant's claimed subject matter, Applicant has amended each of the independent claims to indicate that a user manual includes a plurality of radio frequency tags on its pages such that each tag is readable without interference from other tags attached to the manual. Support for these changes may be found in the Specification, for example, at page 3, line 30 through page 4, line 8; page 6, line 32 through page 7, line 5; Fig. 3; and original Claim 2; therefore, the changes do not introduce new matter. Further changes to the claims were made to improve the readability of the wording of the claims and provide antecedent basis; these changes are not made for any reasons related to the asserted reference and do not introduce new matter. Each of the pending claims is believed to be patentable over the asserted references for the reasons set forth below.

The relied-upon teachings of WO/2001/37204 to Reber *et al.* (hereinafter "Reber") do not teach or suggest each of the now-claimed limitations. For example, Reber has not been shown to teach data storage elements being radio frequency tags. While the cited portion of Reber discloses optical, magnetic, and electric readable data, there is no teaching or suggestion of radio frequency tags. In addition, Reber fails to teach a plurality of radio frequency tags such that each tag is readable without interference from other radio frequency tags in the plurality. Without correspondence to each of the claim limitations, the § 102(b) rejection would be improper.

In order to anticipate a claim, the asserted reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the patent claim; *i.e.* every

element of the claimed invention must be literally present, arranged as in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Therefore, all claim elements, and their limitations, must be found in the prior art reference to maintain the rejection based on 35 U.S.C. § 102. Applicant respectfully submits that Reber does not teach every element of independent Claims 1, 15, 21, and 23 in the requisite detail and therefore fails to anticipate Claims 1, 6-11, 13-21, and 23. Applicant accordingly requests that the rejection be withdrawn.

Dependent Claims 6-11, 13, 14, and 16-20 depend from independent Claims 1 and 15, respectively, and also stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Reber. While Applicant does not acquiesce with the particular rejections to these dependent claims, these rejections are also improper for the reasons discussed above in connection with independent Claims 1 and 15. These dependent claims include all of the limitations of their respective base claims and any intervening claims and recite additional features which further distinguish these claims from the cited reference. Therefore, the rejection of dependent Claims 6-11, 13, 14, and 16-20 is improper, and Applicant requests that the rejection be withdrawn.

In addition, new dependent Claims 26 and 27 have been added. Support for these claims may be found in the Specification, for example, in Fig. 3; at page 3, line 30 through page 4, line 8; and at page 6, line 32 through page 7, line 5; therefore, these claims do not introduce new matter. New dependent Claims 26 and 27 each depend from Claim 1 and therefore are also believed to be patentable over the asserted reference for the reasons set forth above in connection with the independent claims.

Authorization is given to charge Deposit Account No. 50-3581 (KOL.221.WUS) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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Date: October 20, 2008

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